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July 17, 2006

Via CM/ECF Filing

The Honorable Gregory M. Sleet
United States District Court
for the District of Delaware
844 N. King Street, Lock Box 19
Wilmington, DE 19801

Re: **Material Witnesses Roberto Damasing, Paul Tudor,
Pascual Conge and Bryan Espina (Miscellaneous Matter), C.A. No. 06-122**

Dear Judge Sleet:

The following pre-indictment filings were placed under seal by Order of Court (D.I. 7) and at the request of counsel:

- (1) Emergency Petition of Robert Damasing, Paul Tudor, Pascual Conge and Bryan Espina to Compel Their Immediate Release (D.I. 1);
- (2) Brief In Support of the Emergency Petition of Robert Damasing, Paul Tudor, Pascual Conge and Bryan Espina to Compel Their Immediate Release (D.I. 2);
- (3) Letter to Dr. Peter Dalleo dated 6/27/06 (D.I. 3);
- (4) Transmittal Affidavit of Richard M. Donaldson In Support of Emergency Petition of Robert Damasing, Paul Tudor, Pascual Conge and Bryan Espina to Compel Their Immediate Release (D.I. 4);
and
- (5) Stipulated Order granted July 7, 2006 (D.I. 9).

In view of the current procedural posture of the underlying criminal matters (*i.e.*, *U.S. v. Manolache*, 1:06-cr-00075-GMS and *U.S. v. Chian Spirit Maritime Enterprises, Inc., et al.*, 1:06-cr-00076-GMS), counsel for the Petitioners respectfully request that all filings in this Miscellaneous Matter be made public. We have discussed this with counsel from the U.S. Attorney's Office and for the defendants in the criminal matters, and have been advised that they have no objection to the filings being unsealed.

The Honorable Gregory M. Sleet
July 17, 2006
Page 2

I have enclosed a proposed form of order for the Court's consideration, and of course am at the Court's disposal.

Respectfully yours,

/s/ R. Montgomery Donaldson

R. Montgomery Donaldson (DE # 4367)

cc: Dr. Peter T. Dalleo, Clerk (w/encl., via cm/ecf filing)
Mark Kotila, Esquire (w/encl., via e-mail)
Michael Chalos, Esquire (w/encl., via e-mail)
Carl Woodward, Esquire (w/encl., via e-mail)
Bruce Pasfield, Esquire (w/encl., via e-mail)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

IN RE MATERIAL WITNESSES)	
ROBERTO DAMASING, PAUL TUDOR,)	Case No.: 06-122
PASCUAL CONGE AND)	
BRYAN ESPINA.)	

ORDER TO UNSEAL DOCUMENTS OF RECORD

WHEREAS, by letter dated June 30, 2006, counsel for Petitioners in the above-captioned Miscellaneous Matter (the “Miscellaneous Matter”) requested that certain pre-indictment filings of record be placed under seal, which request was granted by the Court on July 7, 2006;

WHEREAS, certain other documents, including the Stipulated Order (D.I. 8) submitted by the parties on June 30, 2006 and signed by the Court on July 7, 2006, also have been filed under seal;

WHEREAS, it appearing to the parties and to the Court that the current procedural posture of the underlying criminal proceedings (*U.S. v. Manolache*, 1:06-cr-00075-GMS and *U.S. v. Chian Spirit Maritime Enterprises, Inc., et al.*, 1:06-cr-00076-GMS, together the “underlying criminal proceedings”) no longer requires that the filings in the Miscellaneous Matter be maintained under seal; and

WHEREAS, counsel for the Petitioners in the Miscellaneous Matter have advised the Court that neither counsel from the United States Attorney’s Office nor counsel for the Defendants in the underlying criminal proceedings object to the documents being unsealed;

IT IS HEREBY ORDERED this _____th day of July, 2006, that all documents of record in this Miscellaneous Matter currently under seal shall be and hereby are unsealed and made public.

THE HONORABLE GREGORY M. SLEET
UNITED STATES DISTRICT JUDGE